

**APPLICANTS' ARGUMENTS/REMARKS MADE IN AN AMENDMENT**

Applicants have carefully reviewed and considered the Final Office Action mailed on May 29, 2008, and the references cited therewith. This first reply is being filed within three months of the mailing date of the Final Office Action.

In order to expedite the prosecution and issuance of this application, claims to the *Allowable Subject Matter*, as determined by the Examiner, are being pursued. The other claims are cancelled with traverse of the rejections and Applicants reserve the right to pursue the restricted and rejected claims, or variations thereof, in follow on continuation/divisional applications.

Claims 1-32, 34-40, and 42-71 are cancelled. Claims 33, 41, and 72-84 were allowed. Applicants have amended claims 85, 86, 91, 92, 93, 94, 95, 97, and 113 into independent form including all of the limitations of the base claims and any intervening claims. The remaining allowable claims are dependent from these claims. No new matter is added. It is believed that 45 total claims (33, 41, and 72-114) including 11 independent claims (33, 72, 85, 86, 91, 92, 93, 94, 95, 97, and 113) remain pending for consideration. It is believed that no additional claim fees are due since the number of cancelled independent claims equal or exceed the number of dependent claims rewritten in independent form. However, please charge any required fees, or credit overpayment to Deposit Account No. 502931.

***Claim Rejections – 35 USC § 103***

Regarding Pages 2-7 of the Office Action of May 29, 2008, claims 1, 2, 5-9, 11, 12, 16-20, 22, 23, and 26 were rejected under 35 U.S.C. § 103(a) by the Examiner as being unpatentable over Tuttle et al. (U.S. Patent No. 6,078,791; hereinafter “*Tuttle*”) in a view to Bates et al. (U.S. Patent No. 5,561,004; hereinafter “*Bates '004*”). Applicants respectfully traverse. Since these claims are cancelled herein in favor of prosecuting them in future continuation and/or divisional applications, no argument is being presented here.

Regarding Pages 8 of the Office Action of May 29, 2008, claims 10, 21, and 25 were rejected under 35 U.S.C. § 103(a) by the Examiner as being unpatentable over *Tuttle* and *Bates '004* and further in view of Little et al. (U.S. Patent No. 4,740,431; hereinafter “*Little*”). Applicants

respectfully traverse. Since these claims are cancelled herein in favor of prosecuting them in future continuation and/or divisional applications, no argument is being presented here.

Regarding Pages 8-12 of the Office Action of May 29, 2008, claims 3, 4, 13-15, 24, 34-39, and 42 were rejected under 35 U.S.C. § 103(a) by the Examiner as being unpatentable over *Tuttle* and *Bates '004* and further in view of *Bates* (U.S. Patent No. 5,569,520; hereinafter "*Bates '520*"). Applicants respectfully traverse. Since these claims are cancelled herein in favor of prosecuting them in future continuation and/or divisional applications, no argument is being presented here.

Regarding Pages 12-13 of the Office Action of May 29, 2008, claims 27-30 were rejected under 35 U.S.C. § 103(a) by the Examiner as being unpatentable over *Tuttle* and *Bates '004* and further in view of *Lew et al.* (U.S. Patent No. 6,608,464, hereinafter "*Lew*"). Applicants respectfully traverse. Since these claims are cancelled herein in favor of prosecuting them in future continuation and/or divisional applications, no argument is being presented here.

Regarding Pages 13-15 of the Office Action of May 29, 2008, claims 31, 32 and 40 were rejected under 35 U.S.C. § 103(a) by the Examiner as being unpatentable over *Bates '004* in view of *Little* and *Bates '520*. Applicants respectfully traverse. Since these claims are cancelled herein in favor of prosecuting them in future continuation and/or divisional applications, no argument is being presented here.

#### ***Allowable Subject Matter***

Regarding Page 15 of the Office Action of May 29, 2008, claims 85-114 were objected to by the Examiner as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended claims 85, 86, 91, 92, 93, 94, 95, 97, and 113 into independent form including all of the limitations of the base claims and any intervening claims. The remaining allowable claims are dependent from these claims.

Regarding Page 15-16 of the Office Action of May 29, 2008, claims 33, 41, 72-84 were found by the Examiner to be allowable over the prior art of record.

**CONCLUSION**

Applicants respectfully submit the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney Charles A. Lemaire (952-435-0201 or 952-898-7558) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account Number 502931.

Respectfully submitted,

HARLAN T. JACOBS ET AL.

By their representatives,

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Date: July 2, 2008

By: /Charles A. Lemaire/  
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**CERTIFICATE UNDER 37 CFR 1.8(a)(1)(i)(C):**

The undersigned hereby certifies that this document is being electronically filed via the U.S. Patent Office's electronic filing system (EFS), addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2<sup>nd</sup> day of July, 2008, Central Time.

Charles A. Lemaire  
Name

/Charles A. Lemaire/  
Signature